

FILED BY *JL* D.C.
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IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

JOHN N. HOOPER,)
Plaintiff,)
v.) Civil Action No.
) 00CV2863-M/BRE
PUBLIC PROPERTIES)
MANAGEMENT, INC. (PPM, INC.),)
PPM I PARTNERSHIP, L.P.,)
PPM IV PARTNERSHIP, L.P.,)
PPM V PARTNERSHIP, L.P.,)
PPM VIII PARTNERSHIP, L.P.,)
DAVID S. WOLFE, INDIVIDUALLY)
AND IN HIS OFFICIAL CAPACITY,)
HAROLD E. SMITH, DAVE W.)
DOGAN, STEPHEN SMITH,)
LAUREN L. REAGER, WELLS FARGO)
BANK AS TRUSTEE OF THE LAUREN L.)
REAGER, M.D. PENSION PLAN TRUST,)
SUNBURST BOLTON, LLC,)
MICHAEL JONES, AND KENNETH JONES,)
Defendants.)

ROBERT R. DI TROIO
CLERK, U.S. DIST. CT.
WD. OF TN. MEMPHIS

RULE 16(b) SCHEDULING ORDER

Pursuant to written notice and Federal Rule of Civil Procedure 16(b), a scheduling conference was held on May 2, 2005. Present were Richard J. Pober and Gordon B. Olswing, counsel for Plaintiff; and the following counsel for the various Defendants: Robert E. Craddock, Jeffrey K. Fleishmann, Seymour S. Rosenberg, Randall Leff, Jonathan P. Lakey, J. Alan Hanover, and James R. Newsom, III. At the conference, the following dates were established as the final dates for:

(A) COMPLETING ALL DISCOVERY: November 1, 2005

This document entered on the docket sheet in compliance
with Rule 58 and/or 79(a) FRCP on 6-23-05

458

(B) EXPERT WITNESS DISCLOSURES (Rule 26):

- (1) DISCLOSURE OF PLAINTIFF'S RULE 26 EXPERT INFORMATION: July 15, 2005
- (2) DISCLOSURE OF DEFENDANTS' RULE 26 EXPERT INFORMATION: August 15, 2005
- (3) DISCLOSURE OF REBUTTAL EXPERT INFORMATION (limited to issues initially raised in Defendants' Disclosures): September 1, 2005
- (4) EXPERT WITNESS DEPOSITIONS: November 1, 2005

(C) FILING DISPOSITIVE MOTIONS: October 17, 2005

(D) PRETRIAL DISCLOSURES (Rule 26): October 28, 2005

(E) COURT-MANDATED SCHEDULE:

- (1) PRETRIAL ORDER: Monday, November 14, 2005, at 4:30 p.m.
- (2) PRETRIAL CONFERENCE: Monday, November 21, 2005, at 9:00 a.m.
- (3) TRIAL: Monday, November 28, 2005, at 9:30 a.m.

OTHER RELEVANT MATTERS:

No depositions may be scheduled to occur after the discovery cutoff date. All motions, requests for admissions, or other filings that require a response must be filed sufficiently in advance of the discovery cutoff date to enable opposing counsel to respond by the time permitted by the Rules prior to that date.

Motions to compel discovery are to be filed and served by the discovery deadline or within thirty (30) days of the default or the service of the response, answer, or objection, which is the subject of the motion, if the default occurs within 30 days of the discovery deadline, unless the time for filing of such motion is extended for good cause shown, or the objection to the default, response, answer, or objection shall be waived.

This case is set for **JURY TRIAL**, and the trial is expected to last **8 days**. The pretrial order date, pretrial conference date, and trial date have been set by the presiding judge.

This case is appropriate for ADR. The parties have agreed to engage in private mediation during the latter part of August 2005, or at such other mutually agreeable time as the mediation may be arranged. The parties are directed to engage in court-annexed attorney mediation or private mediation.

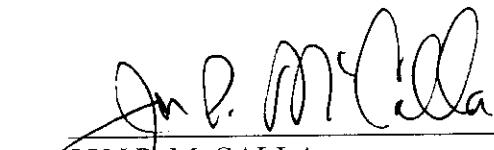
The parties are reminded that pursuant to Local Rule 11(a)(1)(A), all motions, except motions pursuant to Fed. R. Civ. P. 12, 56, 59, and 60 shall be accompanied by a proposed order.

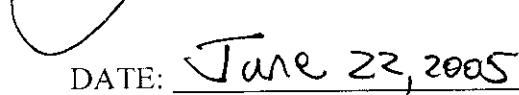
The opposing party may file a response to any motion filed in this matter. Neither party may file an additional reply, however, without leave of the court. If a party believes that a reply is necessary, it shall file a motion for leave to file a reply accompanied by a memorandum setting forth the reasons for which a reply is required.

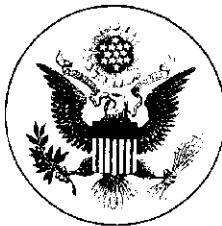
The parties **have not** consented to trial before the magistrate judge.

This order has been entered after consultation with trial counsel pursuant to notice. Absent good cause shown, the scheduling dates set by this order will not be modified or extended.

IT IS SO ORDERED.



JON P. McCALLA
UNITED STATES DISTRICT JUDGE

DATE: June 22, 2005



Notice of Distribution

This notice confirms a copy of the document docketed as number 458 in case 2:00-CV-02863 was distributed by fax, mail, or direct printing on June 23, 2005 to the parties listed.

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Honorable Jon McCalla
US DISTRICT COURT